

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Elijah Lewis

Case: 2:23-mj-30498

Assigned To : Unassigned

Assign. Date : 12/20/2023

CMP: SEALED MATTER (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 26, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922 (g)(1)

Felon in possession of a firearm

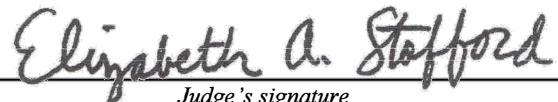
This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: December 20, 2023

City and state: Detroit, Michigan

*Complainant's signature*Matthew Totten, Special Agent (ATF)*Printed name and title**Judge's signature*Hon. Elizabeth A. Stafford, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Matthew Totten, being duly sworn, hereby state:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives and have been employed with the ATF since March of 2020. As a Special Agent, I am currently assigned to the Detroit Field Office. I have conducted and participated in numerous criminal investigations focused on firearms and narcotics violations. I am a graduate of the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. Prior to my employment with ATF, I was employed as a State Trooper with the Michigan State Police for six years from 2014 through 2020.

2. I make this affidavit from personal knowledge based on my participation in this investigation, including reports from other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. Based upon my training, experience, and participation in illegal firearms investigations and my extensive discussions with experienced agents of the ATF, police officers of the Michigan State Police, Inkster Police Department, and other federal, state, and local law enforcement agencies, I know the below information to be true.

4. ATF is currently investigating Elijah LEWIS (DOB xx/xx/1998) for violating 18 U.S.C. § 922(g)(1) (being a felon in possession of a firearm).

PROBABLE CAUSE

5. On December 13, 2023, I reviewed a computer printout of LEWIS' criminal history, which indicates that he has been convicted of the following felony offense, punishable by more than one year in prison: 2019, Felony Weapons, Carrying Concealed, Pled Guilty, 3rd Circuit Court.

6. Based on the nature and recency of the 2019 felony carrying concealed weapons offense, there is probable cause to believe that LEWIS knows he has been convicted of a crime punishable by more than one year in prison.

7. On November 26, 2023, Inkster Police Department was dispatched for a weapons run to xx3 Tobin Drive, in the City of Inkster, which is located in the Eastern District of Michigan. Upon arrival, officers observed a woman yelling toward the building of xx3 Tobin Dr. Officers then observed the woman sit down

in a vehicle when she saw the officers. As officers walked up to the car, officers saw LEWIS making furtive movements. Due to the nature of the incident and LEWIS' furtive gestures, LEWIS was asked to step out of the vehicle for investigatory purposes, and Lewis did so willingly. Immediately after exiting the vehicle, LEWIS fled on foot and officers pursued.

8. During the foot pursuit, officers gave several verbal commands for LEWIS to stop. LEWIS continued to flee, and the officers followed him into a parking lot between two vehicles. While running between the vehicles, Officers saw LEWIS reach his hand into his left pocket and throw a dark object that was later recovered and identified as a Glock 17, 9mm semi-automatic pistol with serial number AGLK525, loaded with 25 rounds of ammunition. Officers were able to eventually catch up to LEWIS and detain him.

9. On December 15, 2023, I examined the firearm (Glock 17, 9mm semi-automatic pistol with serial number AGLK525). As an interstate nexus expert, it is my opinion that this firearm was manufactured outside of the state of Michigan and therefore traveled in interstate or foreign commerce.

CONCLUSION

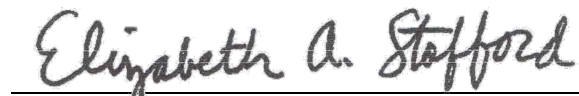
10. Based on the aforementioned facts, there is probable cause to believe that Elijah LEWIS (DOB: xx/xx/1998), a convicted felon, was aware of his felony conviction, did knowingly and intentionally possess one Glock 17, 9mm semi-automatic pistol bearing serial number AGLK525, which had travelled in interstate or foreign commerce, in violation of 18 U.S.C. § 922(g)(1) (felon in possession of a firearm). This violation occurred on or about November 26, 2023, in the Eastern District of Michigan.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Matthew H. Totten", followed by a horizontal line.

Matthew Totten
Special Agent, ATF

Sworn to before me and signed in my presence
and/or by reliable electronic means

A handwritten signature in black ink, appearing to read "Elizabeth A. Stafford", followed by a horizontal line.

HON. ELIZABETH A. STAFFORD
United States Magistrate Judge